



Freedom of Speech Code of Conduct

Defining Governance, Accountability, and Oversight for the Directors.

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1. Purpose, Scope and Legal Duties

Our Commitment

At the International College of Musical Theatre (ICMT), we are committed to fostering a learning and professional environment in which freedom of speech and academic freedom are actively protected, promoted, and respected.

As a performing arts institution, we recognise that creativity often challenges convention. Our students and staff must be able to explore, perform, and debate ideas, including those that provoke disagreement, discomfort, or controversy, within the boundaries of the law. Freedom of speech is essential to academic inquiry, artistic risk-taking, and the development of socially engaged performers and practitioners.

ICMT does not seek to shield individuals from ideas or opinions they may find offensive or disagreeable. We will only consider limiting speech when clearly justified by law and where restrictions are necessary, proportionate, and in line with our legal obligations.

This Code explains how we uphold and apply these principles in all aspects of ICMT life.

Scope

This Code applies to:

- All ICMT students, staff, and visiting professionals.
- Anyone using ICMT venues or platforms, including external speakers and hirers.
- Any ICMT-related event, whether on-site, off-site, or online.

This includes (but is not limited to):

- Teaching and classroom discussion.
- Performances, rehearsals, and assessments.
- Guest lectures, panels, and masterclasses.
- Public events and private bookings.
- Social media or digital content linked to ICMT.

All individuals and groups involved in ICMT activities are expected to follow this Code. Third parties using ICMT spaces must confirm their compliance with it as part of their booking.

Our Legal and Regulatory Duties

ICMT is legally required to secure and promote lawful freedom of speech and academic freedom. This Code reflects our responsibilities under the following legislation:

- **Higher Education (Freedom of Speech) Act 2023:** Take all reasonably practicable steps to secure and actively promote freedom of speech and academic freedom. Publish and apply a Code of Practice. Enable complaints to be raised and, if necessary, referred to the Office for Students (OfS).
- **Education (No.2) Act 1988:** Ensure no one is denied access to ICMT premises based on their lawful beliefs, views, or affiliations.
- **Human Rights Act 1998 – Article 10 (ECHR):** Respect individuals' rights to freedom of expression, including receiving and imparting ideas through speech, writing, art, or performance, subject only to lawful, necessary, and proportionate limits.
- **Equality Act 2010:** Prevent discrimination, harassment, and victimisation. Ensure that speech is not unlawfully restricted under the guise of offence. Lawful expression of beliefs is protected.
- **OfS Regulatory Advice 24:** Sets out a three-part test for managing speech:
 - Is the speech within the law?
 - Are there reasonably practicable steps to secure it?
 - Are any restrictions lawful and proportionate?

Freedom of Speech in Performing Arts

The ICMT acknowledges the distinct nature of artistic expression in performance training. Rehearsals, performances, and creative works often engage with:

- Sensitive or contested subject matter.
- Politically or culturally charged narratives.
- Historically or socially embedded inequalities.
- Character portrayals that do not reflect performers' own views

This Code supports:

- The right to perform or explore provocative content, where lawful.
- The right to challenge, critique, or question artistic work respectfully.
- The right of students and staff to withdraw from participation in specific content where such withdrawal is lawful and appropriately managed

Artistic freedom is not absolute, but it is a protected and valued part of education at ICMT.

Oversight and Governance

The ICMT's Directors are legally responsible for ensuring the institution complies with its freedom of speech duties. The Principal has delegated authority to implement this Code and is supported by senior staff, programme leaders, and student services.

All decisions made under this Code will be:

- Transparent.
- Evidence-based.
- Subject to clear procedural safeguards.

Review and Accountability

This Code supersedes all previous ICMT policies on freedom of speech. It will be reviewed annually, or more frequently if:

- There are significant legal or regulatory changes.
- Relevant complaints or incidents arise.
- Feedback from students or staff indicates the need for improvement.

2. Key Terms and Definitions

This section explains key terms used throughout this Code of Conduct. It is designed to ensure that all students, staff, and visitors clearly understand their rights and responsibilities, particularly in the context of a professional performing arts education.

Where appropriate, definitions align with legal standards under UK law, including the Higher Education (Freedom of Speech) Act 2023, and with sector expectations set out by the Office for Students.

Freedom of Speech

The legally protected right to express lawful views, beliefs, or opinions without interference, even if those views are unpopular, provocative, or offensive to some.

At the ICMT, freedom of speech includes:

- Spoken or written words.
- Artistic and creative performance.
- Political, philosophical, or religious viewpoints

Freedom of speech does not protect:

- Hate speech or incitement to violence.
- Harassment, threats, or intimidation.
- An expression that is unlawful under UK law

The ICMT will always start with a presumption in favour of free speech and only consider restricting it when the law requires it.

Academic Freedom

The freedom of academic staff and students to:

- Explore, question, and critique established ideas.
- Express new, controversial, or unpopular opinions.
- Teach, learn, and undertake research without fear of institutional censure or disadvantage

At the ICMT, academic freedom includes:

- Artistic interpretation of challenging material.
- Honest critique in performance feedback or peer review.
- Participation in public or professional discourse

This right is protected under the Higher Education and Research Act 2017, as amended by the Freedom of Speech Act 2023.

Artistic Expression

The freedom to communicate ideas, feelings, or stories through creative means, including performance, voice, movement, music, text, or visual media.

At ICMT, this includes:

- Performances and showcases.
- Rehearsals and workshops.
- Song and script interpretation.
- Devised or improvisational content

Artistic expression often engages with sensitive or divisive subjects. The ICMT protects this right unless the content is unlawful or would cause serious, demonstrable harm.

Lawful Speech

Speech is lawful if it is not prohibited under UK law. Even if it is offensive, controversial, or unsettling, lawful speech must be protected.

Examples of unlawful speech include:

- Incitement to violence or terrorism.
- Hate speech based on race, religion, or sexual orientation.
- Harassment or targeted abuse.
- Defamation (making false statements that damage reputation).

- Encouragement or glorification of criminal activity

The ICMT will not tolerate unlawful speech in any setting.

Reasonably Practicable Steps

The actions ICMT must take to secure freedom of speech in a given situation, unless it is not reasonably possible to do so.

When deciding what is "reasonably practicable," ICMT will consider:

- The nature of the event or speech.
- Safety, security, or welfare risks.
- Resource and staffing constraints.
- The rights and freedoms of others

This duty applies even when expression is controversial or may attract protest.

Proportionate Restriction

Any restriction on speech must meet all three conditions:

- **Prescribed by law:** There must be a lawful basis.
- **Necessary:** To achieve a legitimate aim (e.g. protect safety or prevent crime).
- **Proportionate:** The least restrictive means available.

Example: Requiring added security may be proportionate. Cancelling an event outright may not be.

External Speaker

Anyone not currently employed by or enrolled at the ICMT who is invited to speak, perform, teach, or lead a session.

This includes:

- Guest lecturers and masterclass leaders.
- Visiting artists, activists, or academics.
- Representatives of charities, political groups, or cultural organisations

All external speakers must be approved through ICMT's event booking procedures.

Event

Any planned gathering, performance, talk, or session held:

- On the ICMT premises.
- Online under ICMT's name or platform.
- At an external venue under ICMT's authority

Events may be public or private, academic or artistic, formal or informal. Examples include:

- Student showcases.
- Guest speaker sessions.
- Society meetings.
- Public debates.
- Film screenings or livestreams

All events involving public audiences, external speakers, or sensitive content must follow the ICMT's approval and risk assessment process.

Protest and Counter-Protest

A lawful protest is a protected form of expression.

This may include:

- Peaceful demonstration or leafleting.
- Holding signs or banners.
- Organising alternative events

However, protests must not:

- Prevent others from speaking or attending events.
- Involve violence, threats, or intimidation
- Breach ICMT's health and safety policies.

The ICMT will take all reasonable steps to allow both speech and protest to proceed safely.

Chilling Effect

When individuals feel unable to speak, perform, or express views due to fear of reprisal, criticism, or institutional consequences, even though their speech is lawful.

The ICMT will avoid policies or actions that have a chilling effect and will actively support students and staff in expressing lawful, critical, or controversial views without fear.

3. Rights and Responsibilities

This section defines the mutual rights and responsibilities that underpin lawful freedom of speech at the ICMT. These principles apply to all members of our community, students, staff, visitors, and external speakers, and are essential to maintaining a creative, inclusive, and intellectually rigorous learning environment.

Your Rights at ICMT

Every student, staff member, and authorised visitor has the right to:

- Express lawful views and beliefs, regardless of popularity or discomfort caused.
- Access and contribute to debate, academic discussion, and artistic expression without fear of disciplinary action or institutional disadvantage.
- Perform or explore sensitive, controversial, or challenging material in rehearsal, assessment, or performance, provided it is lawful.
- Organise or attend lawful events, performances, or talks that express political, religious, social, or artistic viewpoints.
- Protest or dissent lawfully, including counter-speech, provided it does not infringe on others' rights to speak or attend.

These rights apply:

- In teaching, learning, and performance spaces.
- In digital and recorded content.
- During ICMT-hosted events and activities.
- On social media or public platforms, when linked to ICMT affiliation

The ICMT upholds the principle that freedom of speech includes the right to offend, challenge, or provoke, as long as it does not become unlawful.

Our Responsibilities

The ICMT is legally obliged to:

- Take all reasonably practicable steps to secure and actively promote freedom of speech and academic freedom within the law.
- Provide a clear, fair, and consistently applied Code of Practice for speaker events, complaints, and decision-making.
- Remain viewpoint-neutral when regulating lawful speech, not endorsing or opposing particular beliefs expressed by members of the community or guests.
- Ensure that disciplinary processes are never misused to punish lawful expression.

- Publish transparent guidance and provide access to fair complaints and appeals routes for anyone who believes their speech has been unjustifiably restricted.
- Balance freedom of speech with other statutory duties, including safety, equality, and the protection of legal rights, using proportionate, lawful, and evidence-based approaches.

Student and Staff Responsibilities

Alongside their rights, all members of the ICMT community are expected to:

- Respect others' rights to express lawful opinions, even where those opinions are offensive or controversial.
- Engage in civil, courteous, and constructive dialogue, particularly during disagreements or critiques.
- Challenge ideas, not individuals, and avoid personal attacks, hate speech, or hostile conduct.
- Clearly distinguish personal opinion from institutional representation when speaking in public or online.
- Use ICMT spaces, events, and communication platforms responsibly and lawfully.
- Follow all relevant procedures when planning events, inviting speakers, or performing controversial material.
- Seek guidance if unsure whether proposed content, speech, or activity may breach the law or this Code.

Responsibilities of External Speakers and Visitors

External speakers and guests, including performers, panellists, facilitators, and those hiring ICMT spaces, must:

- Comply fully with this Code of Conduct and any conditions set by the ICMT.
- Avoid promoting unlawful activity or engaging in speech that incites hatred, violence, discrimination, or harassment.
- Provide full and accurate information when seeking to book or participate in an event.
- Respect the rights of students and staff to question, disagree with, or protest their views, lawfully and without disruption.
- Breaches may result in event cancellation, exclusion from premises, or referral to relevant authorities.

Responsibilities in a Performing Arts Education Context

Given ICMT's distinctive environment, students and staff have additional responsibilities to:

- Recognise that performance-based learning often engages with material that is provocative, politically sensitive, or emotionally charged.

- Approach such material with professional maturity, contextual awareness, and critical reflection.
- Clearly communicate the intended artistic or educational purpose of challenging content (e.g., in rehearsal briefs, assessment rubrics, or performance notes).
- Collaborate respectfully with peers who may have legitimate reasons to raise concerns about content, participation, or performance requirements.
- Avoid censorship-by-default: offence alone is not a sufficient reason to exclude material, unless it is unlawful or unjustifiably harmful.

Breaches and Consequences

The ICMT takes all breaches of this Code seriously. Depending on the nature and severity of the issue, consequences may include:

- Educational or restorative resolution (e.g. reflective learning, training, mediated discussion).
- Formal disciplinary action under the Student or Staff Conduct Procedures.
- Withdrawal of permission to use ICMT facilities.
- Termination of speaker invitations or event bookings.
- Referral to external bodies (e.g. police, Prevent coordinator, OfS Director for Freedom of Speech)

All investigations will be handled fairly, transparently, and in line with ICMT's commitment to upholding both free expression and legal duties.

4. Governance and Decision-Making Responsibilities

Securing and promoting freedom of speech is not a passive obligation, it is an active, institution-wide duty under UK law. This section sets out the specific governance and operational responsibilities for ensuring that ICMT fully complies with the Higher Education (Freedom of Speech) Act 2023, and that this Code is applied lawfully, consistently, and transparently across all areas of activity.

Directors: Strategic Oversight and Accountability

The Directors are responsible for:

- Ensuring that ICMT takes reasonably practicable steps to secure and promote freedom of speech and academic freedom across all its functions.
- Approving, owning, and reviewing this Code of Conduct.
- Receiving an annual institutional report that includes:
 - Event and speaker decisions.
 - Complaints, appeals, and outcomes.
 - Emerging risks, case studies, and regulatory updates.

- Staff and student training compliance
- Appointing the Principal as the accountable officer to oversee institutional implementation.

The Senior Management Team must remain viewpoint-neutral and must not intervene in operational speech decisions unless a formal complaint or legal risk arises.

Principal: Institutional Accountability and Operational Leadership

The Principal is the ICMT's accountable officer for freedom of speech compliance under OfS regulations.

The Principal:

- Holds delegated authority from the Directors to enforce and implement this Code.
- Ensures all operational decisions align with UK legislation and OfS Regulatory Advice 24.
- Chairs final decisions on complex or high-risk cases, including:
 - Potential restrictions on speech or events.
 - Disputes involving artistic, reputational, or safety concerns.
 - Balancing legal conflicts (e.g. between speech and equality duties).

The Principal may delegate operational functions but retains overall accountability. All final decisions must be evidence-based, proportionate, and fully documented.

Designated Responsible Officers: Operational Implementation

The following senior officers are responsible for delivering this Code day-to-day:

- **Head of Musical Theatre:** Ensures academic and artistic freedom is protected across teaching, performance, and assessment. Supports staff navigating sensitive material or speech risks.
- **Student Services Manager:** Provides student-facing advice and support. Coordinates informal resolution and formal complaints. Ensures students understand their rights and responsibilities.
- **Head of Operations:** Leads on external speaker bookings, performance/event approvals, and venue usage. Applies the three-step legal test to all bookings. Flags high-risk events to the Principal.
- **Safeguarding Lead:** Advises on cases where speech intersects with student welfare, safety, or Prevent duty concerns. Ensures safeguarding compliance while protecting lawful expression.

All designated officers must complete mandatory freedom of speech and legal compliance training and ensure their teams do likewise.

Staff and Students: Cultural Leadership and Compliance

The ICMT staff and students share responsibility for creating a culture where lawful free speech is respected and protected.

All members of the ICMT community are expected to:

- Apply this Code in practice, including during performances, debates, critiques, and online discussions.
- Follow approval procedures for inviting external speakers or hosting events.
- Respect the rights of others to express lawful but controversial or provocative ideas
- Avoid attempts to disrupt, de-platform, or silence others unlawfully.

Student representatives must:

- Comply with this Code when running events or campaigns.
- Consult with the Student Services Manager if concerns arise over proposed content or contributors.

Students will be consulted during the annual Code review to ensure lived experience informs continuous improvement.

Independent Oversight and Right of Redress

If an individual believes the ICMT has failed to uphold its legal duties under this Code, they may:

- Submit a concern through the ICMT Freedom of Speech Complaints Procedure.
- If unresolved, escalate the issue to the Office for Students' Director for Freedom of Speech and Academic Freedom, who has independent investigatory powers under the 2023 Act.

The ICMT will:

- Cooperate fully with any external investigation.
- Maintain transparent decision records.
- Review and revise this Code where required to reflect legal outcomes or learning.

5. Events, Performances and Speaker Activities

The ICMT encourages a wide range of lawful events, performances, and guest speaker activities that challenge, inspire, and inform. This includes content that is provocative, unconventional, or controversial, all of which have a legitimate place within a professional performing arts education.

This section sets out how the ICMT enables freedom of speech in the planning and delivery of events, explains how lawful risks are assessed, and outlines the limited circumstances under which speech may be subject to proportionate restriction.

Scope of Application

This section applies to any event or activity that is:

- Hosted by ICMT (on-campus, off-site, or online).
- Affiliated with ICMT (e.g. student societies, external hirers).
- Public, semi-public, or involves external contributors.
- Intended to be attended by or delivered to an audience beyond a private ICMT class group

Examples include:

- Rehearsals and performances open to invited or public audiences.
- Speaker panels, lectures, or debates.
- Industry Q&As and masterclasses.
- Campaign-related events or protest performances.
- External bookings using ICMT premises or digital channels

Core Principles

The ICMT's approach is governed by the following principles:

- a) **Presumption in favour of speech:** All lawful speech, including controversial or offensive content, will be permitted unless explicitly unlawful or demonstrably harmful.
- b) **Protest is not a veto:** The risk of protest, reputational discomfort, or offence is not sufficient reason to cancel or restrict an event.
- c) **Facilitation over suppression:** Where risks exist, the ICMT will seek to enable speech through proactive, proportionate adjustments, not to silence it.
- d) **Viewpoint neutrality:** Approval or denial of events will not be based on agreement or disagreement with the speaker or content.
- e) **Professional standards apply:** All speech must be delivered in a manner consistent with ICMT's values of integrity, respect, and inclusivity.

Event Risk Assessment: Legal Three-Step Test

Where any potential concerns are identified, the ICMT applies the statutory three-step test to determine whether, and how, an event should proceed:

1. Is the speech within the law?

If the content constitutes incitement to violence, hate speech, unlawful harassment, or any criminal offence, it will not proceed.

2. Are there reasonably practicable steps to secure it?

If the speech is lawful but potentially risky, ICMT will consider practical measures such as

- Modifying venue layout or access arrangements.
- Adding neutral moderation or Q&A controls.
- Providing pre-event context or disclaimers.
- Scheduling at alternative times or locations

3. Are any proposed restrictions lawful and proportionate?

Restrictions must be clearly justified, evidence-based, and represent the least intrusive means of managing risk. Full cancellation will only be considered where no other steps can lawfully and safely allow the event to proceed.

All decisions will be documented, justified in writing, and open to internal appeal.

Roles and Responsibilities

- **Event Organiser:** Submits accurate event information, cooperates with risk review, ensures compliance with final conditions.
- **Operations & Events Manager:** Reviews submissions, applies the three-step test, consults relevant officers, recommends adjustments or approvals.
- **Principal (or Delegate):** Makes final determinations on high-risk or contested cases. Ensures all decisions meet legal and policy standards.
- **Facilities, Security, and Technical Support:** Implement any logistical adjustments (e.g. layout, staffing, equipment) to support safe delivery of approved events.

Artistic and Performance-Based Content

The ICMT actively encourages the creative exploration of challenging subject matter through performance. Students and staff must:

- Clearly communicate when content may include sensitive material (e.g. content notices, programme notes).
- Consider audience composition when presenting provocative scenes, themes, or scripts, without compromising artistic integrity.
- Ensure that performance work reflects professional conduct, contextual understanding, and respect for lawful expression.

Artistic content will not be censored or restricted unless it contains material that is:

- Clearly unlawful.
- Deceptively presented as academic/professional when not.
- Demonstrably harmful to individual safety or legal rights.

Managing Protest and Disruption

The ICMT recognises that protest is a protected form of speech.

Protest is permitted provided it:

- Is lawful and peaceful.
- Does not prevent an event or performance from occurring.
- Respects others' right to listen, perform, or attend

Protest that escalates into disruption, intimidation, or obstruction may result in disciplinary or legal action.

Event Outcomes

Following assessment, the ICMT may:

- Approve the event unconditionally.
- Approve with conditions (e.g. moderation, layout, audience controls).
- Decline the event only if:
 - The speech is unlawful.
 - No proportionate adjustments can manage legitimate risks

All outcomes will:

- Be communicated in writing.
- Include reasons and reference to the three-step test.
- Be logged centrally and reported annually to the Governing Body

6. Three-Step Test for Managing Speech Concerns

The ICMT is legally required to assess any proposed restriction on speech using a transparent and structured framework. This section outlines the statutory three-step test required by the Higher Education (Freedom of Speech) Act 2023 and OfS Regulatory Advice 24. It must be applied consistently whenever ICMT considers limiting, modifying, or declining speech, expression, or related events.

This framework ensures lawful, proportionate, and defensible decision-making while protecting freedom of speech across ICMT's educational, artistic, and professional activities.

Why This Test Matters

This test:

- Upholds ICMT's legal obligation to secure and promote free speech within the law.

- Protects students, staff, and speakers from unjustified restriction.
- Balances free speech with ICMT's other legal duties (e.g. equality, safety, safeguarding).
- Creates a clear, auditable record of institutional decision-making.

The test must be applied in all cases where:

- Concerns are raised about an event, performance, or speaker.
- The ICMT is considering limiting access, altering content, or imposing conditions.
- There is a potential conflict between lawful expression and institutional responsibilities.

Step 1: Is the Speech Within the Law?

The first and most critical question is whether the speech or expression is lawful. Freedom of speech protections only apply to lawful speech.

Lawful expression may include:

- Views that are unpopular, controversial, or offensive.
- Political or religious beliefs that provoke disagreement.
- Artistic or satirical material that challenges norms.

Unlawful expression includes (but is not limited to):

- Incitement to violence, terrorism, or criminal activity.
- Racial or religious hatred.
- Threats, harassment, or targeted abuse.
- Defamation or malicious falsehood.
- Encouragement of illegal conduct (e.g. hate crime, sexual violence).
- Speech that breaches safeguarding, privacy, or court orders

Outcome of Step 1:

- If unlawful, ICMT will restrict or prohibit the speech.
- If lawful, ICMT proceeds to Step 2.

Step 2: Are There Reasonably Practicable Steps to Enable It?

If the speech is lawful, ICMT has a legal duty to take all reasonably practicable steps to ensure it can take place, unless doing so would compromise other legal obligations.

Examples of reasonably practicable measures include:

- Using a different venue, format, or time.

- Restricting audience scope (e.g. student-only access).
- Including content or trigger warnings.
- Providing professional moderation or Q&A facilitation.
- Enhancing security, staffing, or briefing procedures.
- Issuing clarifying statements or disclaimers

Factors considered:

- Severity and credibility of risk.
- Resource and capacity constraints.
- Timeframes and planning lead-in.
- Other rights potentially affected (e.g. safety, welfare, equal access)

Outcome of Step 2:

- If practical adjustments can be made, they must be adopted.
- If no practical adjustments can enable lawful speech safely, ICMT proceeds to Step 3.

Step 3: Are Any Restrictions Lawful, Necessary, and Proportionate?

If ICMT must consider restricting speech, three legal thresholds must be met:

- **Prescribed by Law:** There must be a clear legal basis (e.g. to prevent crime or protect others' rights).
- **Necessary:** The restriction addresses a real and demonstrable risk, not speculation or reputational discomfort.
- **Proportionate:** The restriction must be the least intrusive means available. Cancellation is only acceptable as a final, unavoidable measure.

The ICMT cannot restrict speech because:

- It is unpopular or provocative.
- It attracts public or media attention.
- It risks reputational discomfort alone.

Examples of proportionate restrictions:

- Removing audience access but allowing filming or recording.
- Delaying the event to provide further context or training.
- Applying temporary limits on scope or framing

Outcome of Step 3:

- Restriction or cancellation only if all three tests are met.
- If restriction is not legally justified, the event must go ahead with appropriate safeguards.

Decision-Making Process and Oversight

All applications of the three-step test must be:

- Clearly documented using ICMT's Freedom of Speech Decision Log.
- Supported by credible evidence and rationale.
- Reviewed by a designated senior officer.

If speech is restricted:

- A written explanation must be provided to the organiser.
- The decision must reference each element of the three-step test.
- The organiser must be offered the right to request a review or submit a formal complaint.

Performing Arts Examples: Practical Application

Scenario	Test Application
A guest speaker with controversial views on gender is invited by a student society.	Lawful speech → Step 2: Moderation and clear promotional framing added → Approved.
A performance includes racially charged language within a historical context.	Lawful artistic expression → Step 2: Content warnings and limited audience scope used → Approved.
A speaker intends to share unfounded claims about child abuse conspiracies.	Likely breach of safeguarding law → Step 1: Unlawful → Blocked.
A protest group threatens to disrupt a student-led talk.	Lawful speech and protest → Step 2: Timed entry, security added → Step 3: Protest managed lawfully; event proceeds.

Record-Keeping and Compliance Monitoring

All decisions involving the three-step test must be:

- Logged centrally by the Head of Operations.
- Reviewed quarterly by senior staff.
- Reported annually to the Governing Body.
- Available for audit or investigation by the OfS Freedom of Speech Director if requested.

7. Relationship with other Policies

Freedom of speech is a statutory right. It does not override all other considerations, but it cannot be overridden lightly.

This section explains how this Code interacts with other ICMT policies and procedures, and how to resolve any perceived conflicts. It makes clear that lawful speech must not be suppressed by policy misinterpretation, and that freedom of expression is not a discretionary value but a legal obligation.

Legal Priority of Lawful Freedom of Speech

Under the Higher Education (Freedom of Speech) Act 2023, ICMT has a legal duty to prioritise the protection of lawful speech. This duty applies equally to:

- Students.
- Staff.
- External speakers.
- Event organisers.
- Artistic contributors

If a conflict arises between this Code and any other institutional policy, ICMT is required to:

- Start from a presumption in favour of speech.
- Apply the three-step legal test.
- Restrict expression only where necessary, lawful, and proportionate.

No policy, procedure, or guideline at ICMT may be used to silence or penalise lawful speech, even if the content is offensive, controversial, or unpopular.

Core Intersecting Policies

The following policies are frequently relevant when managing speech-related activity. They must be interpreted in light of this Code, not in isolation.

a) Student Code of Conduct

- Sets expectations for professionalism, respect, and lawful behaviour.
- May not be used to penalise lawful expression of views, including views critical of ICMT or of majority opinions.
- Disruption of lawful speech (e.g. deplatforming or silencing others) may breach this Code.

b) Equality, Diversity and Inclusion (EDI) Policy

- Promotes fairness, access, and dignity for all, under the Equality Act 2010.
- Recognises that freedom of speech includes expression of beliefs, even if those beliefs are offensive or unwelcome to others.
- Complaints under EDI provisions must distinguish between lawful belief and unlawful discrimination or harassment.

c) Safeguarding and Prevent Duty Policy

- Ensures protection from harm and radicalisation.
- Engagement with controversial topics, including radical viewpoints or contentious scripts, is not inherently a safeguarding or Prevent concern.
- Any concern must meet statutory thresholds and be evidenced, not presumed.

d) Digital Communications and Social Media Policy

- Covers online conduct using ICMT platforms or affiliations.
- Lawful expression remains protected online, including criticism of institutional decisions or mainstream views.
- The ICMT may act only where speech becomes unlawful (e.g. harassment, threats) or breaches contractual obligations (e.g. impersonation or defamation).

e) Academic Assessment, Rehearsal and Performance Policy

- Encourages exploration of challenging, complex, or controversial material as part of creative and academic development.
- Lawful objections to content (e.g. based on belief or lived experience) will be managed constructively, without requiring content removal or artistic censorship unless legally required.

Conflict Resolution Framework

If a conflict is perceived between this Code and another policy:

- Pause and assess the speech in question.
- Apply the Three-Step Test.
- Consult relevant policy leads..
- Facilitate lawful expression, using proportionate adjustments where needed.
- Record the process, rationale, and final decision with reference to legal thresholds.

Key principle: Discomfort is not grounds for censorship. Only unlawfulness, or proportionate protection of other legal rights, justifies restriction.

Institutional Neutrality and Viewpoint Independence

The ICMT must not:

- Endorse the views expressed in lawful speech.
- Suppress, favour, or oppose speech based on political, ideological, or institutional preferences.
- Penalise staff or students for hosting or attending lawful but controversial events

Speech is permitted because it is lawful, not because it is agreeable.

8. Complaints and Appeals Process

The ICMT is legally required to provide a clear and effective process for individuals to raise concerns where they believe their right to lawful freedom of speech has been restricted, penalised, or ignored.

This section outlines who can complain, what can be challenged, and how ICMT ensures that all freedom of speech complaints are investigated fairly, independently, and in full compliance with statutory obligations under the Higher Education (Freedom of Speech) Act 2023.

Who Can Submit a Complaint?

The following individuals or groups may raise a complaint under this Code:

- ICMT students (including current, suspended, or recently withdrawn).
- ICMT staff (including permanent, part-time, or freelance).
- External speakers, contributors, or guests invited to participate in ICMT events.
- Event organisers (including student societies and external hirers).
- Audience members at ICMT-affiliated events (on-site or online).

You do not need to be a current student or employee to raise a complaint, provided the issue arose during your lawful engagement with ICMT.

What Can Be Challenged?

Complaints may be submitted where you believe ICMT has:

- Unjustifiably restricted, modified, cancelled, or denied a lawful event or performance.
- Applied conditions to speech or content that are disproportionate, discriminatory, or not legally justified.
- Failed to follow its own Freedom of Speech Code or procedures.
- Penalised or disadvantaged you for expressing lawful views.
- Failed to apply the three-step legal test (see Section 6) before limiting expression.
- Permitted interference (e.g. disruption, censorship, or bias) without lawful basis

Complaints must relate to lawful speech. ICMT is not required to investigate concerns involving clearly unlawful expression or where restriction was demonstrably necessary, lawful, and proportionate.

Stage One: Informal Resolution (Optional but Encouraged)

Where appropriate, individuals are encouraged to raise concerns informally before escalating.

You may:

- Speak with the Student Services Manager (students).
- Contact the Head of Operations (staff, speakers, organisers).
- Request clarification, mediation, or policy guidance.
- Informal resolution does not affect your right to pursue a formal complaint if the issue remains unresolved.

Stage Two: Formal Complaint to ICMT

Formal complaints must be submitted using the Freedom of Speech Complaint Form, available:

- On ICMT's website.
- Via Student Services.
- By written request to info@theicmt.com.

Required information includes:

- Your full name and contact details.
- Date and description of the issue.
- Individuals or decisions involved.
- How you believe the Code was breached.
- Any supporting evidence (emails, event forms, decisions, communications)

Submission deadline: Normally within 20 working days of the incident or decision. Late complaints may be accepted with valid justification.

Investigation and Outcome

Once submitted:

- Your complaint will be acknowledged within 5 working days.
- A senior staff member (normally the Principal or nominee) will be appointed to investigate.
- The ICMT will apply the three-step legal test to the facts and assess all relevant policies and documentation

You will receive a formal outcome within 20 working days, including:

- A decision on whether your complaint is upheld.
- The legal and procedural rationale.
- Any proposed remedies or corrective action.

Possible outcomes include:

- Apology and acknowledgment of procedural error.

- Reinstatement or re-authorisation of an event or activity.
- Policy or process review.
- Rejection with clear explanation and evidence.

Internal Review / Appeal

If you are dissatisfied with the outcome, you may submit a written Request for Internal Review within 10 working days, citing one or more of the following:

- New, relevant evidence not previously available.
- Procedural unfairness or bias in the investigation.
- An error in the application of this Code or the law

The review will be conducted by a senior ICMT panel with no prior involvement. A final institutional response will be issued within 15 working days.

Escalation to the Office for Students (OfS)

If your complaint remains unresolved internally, you may escalate it to the Office for Students Director for Freedom of Speech and Academic Freedom, who has independent investigatory powers under the Freedom of Speech Act 2023.

You must provide:

- A copy of your original complaint and ICMT's response.
- Explanation of why you believe ICMT acted unlawfully or failed to fulfil its duties.

Visit: www.officeforstudents.org.uk for eligibility and submission details.

Confidentiality, Fairness and Protection

The ICMT guarantees that all complaints will be:

- Treated in confidence and handled under data protection law.
- Investigated without prejudice or retaliation.
- Reviewed independently of any academic or professional assessment.
- No individual will be penalised for raising a concern in good faith.
- Malicious, vexatious, or knowingly false complaints may be subject to disciplinary review.